

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Patrick McIntosh,

Petitioner

v.

Secretary for the S.C. Army National Guard,

Respondent

Civil Action No. 9:23-cv-03969-RMG

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ___ %, plus postjudgment interest at the rate of ___ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: Petitioner, Patrick McIntosh, shall take nothing of Respondent, as to the petition filed pursuant to 28 U.S.C. § 2241 and this petition is dismissed without prejudice.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Richard Mark Gergel, United States District Judge, presiding. The Court having adopted the Report and Recommendation set forth by the Honorable Molly H. Cherry, United States Magistrate Judge.

Date: January 19, 2024

ROBIN L. BLUME, CLERK OF COURT

s/H.Cornwell

Signature of Clerk or Deputy Clerk